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July 2, 2018

VIA ECF

Hon. Tonianne J. Bongiovanni, U.S.M.J.
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 2020
Trenton, New Jersey 08608

Re: Curley v. Monmouth County Board of Chosen Freeholders
Index No. 3:17-cv-12300-BRM-TJB

Dear Judge Bongiovanni:

We represent Plaintiff John Curley in the above-referenced matter. Plaintiff commenced this action on December 1, 2017 (ECF No. 1); and filed a First Amended Complaint on December 22, 2017 (ECF No. 7). Five of the defendants filed a motion to dismiss on February 1, 2018 (ECF No. 26); and the remaining two defendants filed a separate Motion to Dismiss on February 15, 2018 (ECF No. 32.) Both motions have been fully briefed and Judge Martinotti heard oral argument on April 30, 2018 (ECF No. 49.)

Since this matter has already been pending for approximately seven months, we write to respectfully request that the Court schedule an initial conference in accordance with Rule 16. Generally the Court only stay discovery pending a motion to dismiss at a party's request if the moving party demonstrates good cause. Maher Terminals, LLC v. Port Auth. of N.Y. & N.J., No. CIV.A. 12-6090 (KM), 2013 WL 2253532, at *2 (D.N.J. May 22, 2013). "Indeed, courts generally do not favor granting motions to stay discovery because when discovery is delayed or prolonged it can create case management problems which impede the court's responsibility to expedite discovery and cause unnecessary litigation expenses and problems." Id. (quotation and citation omitted). No party has requested a stay of discovery in this matter.

Therefore, we request that the Court schedule an initial conference at the Court's convenience so that the parties can begin moving forward with discovery in this matter.

Respectfully submitted,

GENOVA BURNS LLC

/s/ Angelo J. Genova

ANGELO J. GENOVA

AJG/LB

c: Counsel of Record (via ECF)
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